

**MINUTES OF THE PROCEEDINGS OF THE  
PLANNING BOARD OF THE CITY OF WORCESTER**

**MARCH 21, 2007**

**WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM**

**Planning Board Members Present:** John Shea, Chair  
Scott Cashman, Vice-Chair  
Anne O'Connor, Clerk  
Margaret Guzman

**Staff Present:** Joel Fontane, Division of Planning & Regulatory Services  
Robin Bartness, Division of Planning & Regulatory Services  
Lara Bold, Division of Planning & Regulatory Services  
Michael Traynor, Law Department  
K. Russell Adams, Department of Public Works and Parks  
Jody Kennedy-Valade, Code Department

**REGULAR MEETING (5:30 PM)**

**CALL TO ORDER**

Chair Shea called the meeting to order at 5:40 PM.

**APPROVAL OF THE MINUTES**

Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to approve the February 21, 2007 and March 7, 2007 Planning Board minutes.

**UNFINISHED BUSINESS**

**PUBLIC HEARINGS**

- 1. 271 Mill Street (PB-06-168): – Definitive Subdivision:** Stephen O'Connell, representative for the applicant, presented the plan. Mr. O'Connell stated that he would like to request a continuation to April 18, 2007 meeting after hearing that the both the Division of Planning and Regulatory Services and the Department of Public Works and Parks were recommending a continuation. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to continue the Definitive Subdivision for 271 Mill Street to the April 18, 2007 meeting at the request of the applicant to allow the applicant sufficient time to revise the plan.

## PUBLIC MEETINGS

- 2. 25 Tobias Boland Way (PB-07-05) – Definitive Site Plan:** Samuel DeSimone, representative for the applicant, presented the plan. Mr. DeSimone stated that the proposed development reflects the design goals established during the related zone change process. He also stated that the developer has agreed to the conditions outlined in Mr. Fontane's memo dated March 21, 2007. Mr. Adams stated that Mr. Fontane's letter dated March 21, 2007 incorporated the Department of Public Works and Parks' comments for the project. Mr. Fontane stated that the proposed development has met design guidelines and that the applicant will come back before the Board for future approval of façade treatments of remaining buildings with unknown tenants.

Shannon Senior expressed concern with potential negative social, economic, and environmental impacts of the proposed development. She stated that while she is not opposed to development that this will be the largest retail project in history of Worcester, thus far, and that Worcester can do better than Wal-Mart. She also inquired whether the City of Worcester staff agreed with the submitted traffic analysis. Mr. Adams stated that the traffic analysis was reviewed by the traffic engineers of the Department of Public Works and Parks and that they supported the proposed traffic mitigation measures. Ms. Senior inquired whether there will be any historical preservation efforts. Chair Shea informed Ms. Senior that the developer has agreed to donate \$20,000 for historic marker to be located on-site and that Preservation Worcester had attended the previous meeting. He also stated that City of Worcester staff have been working with the developer on this site and project since the 2004 zone change.

Michael Benedetti expressed concern with the potential negative economic impact Wal-Mart could have on businesses throughout the City. He also stated that while the project may have been going on since a previous zone change that it was still not a well-publicized change considering the scale of the project.

Susan Kiley stated that she had done outreach in the neighborhood at the time of the zone change. Jane Petrella stated the Quinsigamond Village neighborhood already has economic problems relative to small business success and that she hopes the proposed development, combined with the ongoing streetscape efforts in the area, will bring additional traffic and business to the neighborhood. Mike Keating, a small business owner in the area, stated that the proposed development will bring much needed traffic and other improvements to the Quinsigamond Village area. Chair Shea commended Mr. Dowdle for being respectful of neighborhood concerns.

Mr. Cashman asked Mr. Traynor if the conditions as presented in Mr. Fontane's memo dated March 21, 2007 were enforceable. Mr. Traynor stated that the proposed conditions were enforceable and that the off-site conditions have been mutually agreed to by all parties. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to approve the Definitive Site Plan with the following conditions which incorporate references to the following plans:

- Definitive Site Plan for Worcester Crossing”, prepared by Bohler Engineering, P.C., dated January 5, 2007, as revised, Sheets 1 through 28, inclusive (the “Bohler Plan”);
- “Preliminary Layout Plan, Site Access to McKeon Road Ext.”, prepared by Greenman-Pedersen, Inc., dated January 5, 2007, Drawing 1 of 1 (the “Greenman-Pedersen Plan”);
- Traffic Impact and Access Study, Proposed Retail Development, Worcester Mass.” dated June, 2006 and prepared by Greenman-Pedersen, Inc.;
- “ALTA/ACSM Land Title Survey, Worcester Crossing”, prepared by Control Point Associates, Inc., dated October 19, 2006, revised through December 18, 2006, Drawings 1 through 6, inclusive (the “Control Point Plan”); and
- “Wal\*Mart, Worcester MA Store 4387-00”, prepared by William Parish Design Development Corporation, Inc.”, Project # WMT: 05-321, dated February 5, 2007 (the “Parish Plan”).

**1. Location, Design, Façade and Materials for “Proposed Wal-Mart” Building (Phase A).**

- a. The location of the “Proposed Wal-Mart” as depicted on the Bohler Plan.
- b. The elevations and physical appearance of the “Proposed Wal-Mart” building shall be consistent with the design, materials, color scheme, mural depiction and façade treatments as depicted on the Parish Plan.
- c. No advertising shall be placed on, or incorporated into, the mural depicted on the western façade of the “Proposed Wal-Mart” building. The mural shall be constructed with permanent materials and maintained in good condition.
- d. The parking area shown as northerly of the second most northerly driveway entrance being created off of Tobias Boland Way (Wal-Mart parking areas), as shown as “Phase A” on Sheet 9 of the Bohler Plan, shall be constructed to include a bituminous asphalt top coat and striped parking spaces prior to the issuance of a permanent occupancy permit for the “Proposed Wal-Mart” building.

**2. Location, Design, Façade and Materials for “Proposed Retail A” and “Proposed Retail B,” and “Proposed Restaurant B” and “Proposed Restaurant C” building (Phase B).**

- a. The location of “Proposed Retail A,” “Proposed Retail B,” “Proposed Restaurant B,” and “Proposed Restaurant C” as depicted on the Bohler Plan.
- b. Elevations, and physical appearance of proposed building consisting of “Proposed Retail A,” “Proposed Retail B,” “Proposed Restaurant B,” and “Proposed Restaurant C” shall be consistent with the design, materials, color scheme, and façade treatments as depicted by the elevations and drawings as shown in Exhibits A, B, and C.

- c. The conditional approval granted herein does not include approval of the proposed drive-through for the proposed “Restaurant C” as depicted on the Bohler Plan. The Applicant shall be required to obtain approval for the proposed drive-through configuration at a future date.
3. **Location, Design, Façade and Materials for “Proposed Restaurant A,” “Proposed Fast Food,” and “Proposed Bank” buildings (Phase B).**
  - a. The location of the buildings labeled “Proposed Restaurant A”, “Proposed Fast Food”, and “Proposed Bank” as depicted on the Bohler Plan are approved. However, the conditional approval granted herein does not include the elevations, design, materials, color scheme and façade treatments for these buildings, nor does it include the drive-through configuration for the buildings depicted on the Bohler Plan labeled “Proposed Fast Food” and “Proposed Bank.” The Applicant shall apply for approval of the same to the Planning Board prior to the commencement of construction of said buildings.
4. **Location, Design, Facade and Materials for the building labeled “Proposed Retail D” and “Proposed Retail E” (Phase C).**
  - a. If, and to the extent that loading docks are constructed for the “Proposed Retail D” / “Proposed Retail E” building as depicted on the Bohler Plan, said loading docks and their adjacent areas shall be shielded from view from the proposed bike path, Blackstone River Road and Tobias Boland Way in a manner consistent with the way the loading docks for the “Proposed Wal-Mart” building will be shielded as depicted on the Bohler Plan and Parish Plan.
  - b. Because of its proximity of the bike path and its prominent location at the intersection of Blackstone River Road and Tobias Boland Way, the design, materials, color scheme and façade treatments of all sides of the “Proposed Retail D” / “Proposed Retail E” building shall be of consistent quality and character as those depicted on the Parish Plan.
  - c. The Planning Board reserves the right to require additional landscape plantings, fencing and other visual buffers, and architectural façade features, as it relates the “Proposed Retail D” / “Proposed Retail E” building.
5. **Location, Design, Facade and Materials for the buildings labeled “Proposed Restaurant D” and “Proposed Retail C,” and “Proposed Restaurant E” (Phase C).**
  - a. The location of the buildings labeled “Proposed Restaurant D”, “Proposed Retail C”, and “Proposed Restaurant E” shown on the Bohler Plan are approved. However, the conditional approval granted herein does not include the elevations, design, materials, color scheme and façade treatments for these buildings. The Applicant shall apply for approval of the same to the Planning Board prior to the commencement of construction of said buildings.

## 6. Other Design Conditions.

- a. All retaining walls with a height greater than or equal to four (4) feet shall include decorative fencing on top.
- b. It is suggested that the Applicant work with the Massachusetts Highway Department to remove, or replace the chain link fence shown along the southern property line (adjacent to the MHD pond). If replaced, it is recommended that it be replaced with a decorative fence.
- c. In addition to the conditions set forth above, the Applicant shall:
  - i. Promote design of the several buildings to ensure consistency of design or, if not consistency, then compatibility with neighboring properties proximate to the Blackstone River and the contemplated bike path.
  - ii. Incorporate where practicable the use of the bike path by the public to the uses of the shopping center, such as the patios serving restaurants.
  - iii. Set aside an area for a link to the bike path to properties southerly and northerly of the site, and in general where located on the Bohler Plan. In this connection a passive recreation area shall be set aside for bike path users and the public, all of which is to be done consistent with the needs of the tenants of the shopping center. By way of example, strategically situated picnic tables and benches.
  - iv. Develop corridors/accesses to and from the bike path area by constructing sidewalks and crosswalks to and from buildings, parking area, and/or bike path areas. Where practical, reposition building to reinforce the corridors/accesses as links.
  - v. Provide landscape enhancement to shield the rear wall of the building and other necessary utilitarian uses such as dumpsters and loading docks from the bike path and the Blackstone River.
  - vi. Provide landscaping enhancement in excess of the zoning ordinance requirements to the frontage along Tobias Boland Way, and plant trees interspersed throughout the parking field to promote the parkway image.
  - vii. Provide decorative pedestrian lighting in combination with traditional parking field lighting; all lighting to be directed down so as to avoid shining on neighboring properties.
- d. The Applicant agrees that any modification to this Site Plan shall be consistent with the above design guidelines.

7. **Historic Marker(s).** The applicant voluntarily offered to provide \$20,000 toward the design and construction of a historic marker that will capture the historical significance of this property. In addition to the City of Worcester – Planning & Regulatory Services Division, the Applicant shall consult with the Worcester Historical Museum, Preservation Worcester and the Worcester Historical Commission for feedback regarding the marker’s materials, design, content and location.
8. **Bike Path.** The bike path as shown on the Bohler Plan shall be established by a permanent easement granted by the Applicant to the entity primarily responsible for the construction, repair and maintenance of the bike path (the “Bike Path Entity”), and said easement shall be granted within 120 days of written request by the Bike Path Entity provided that the specific area of the bike path has been determined by mutual agreement between the Applicant and the Bike Path Entity prior to that time.
9. **Traffic Circulation Improvements.** The Applicant has submitted a report entitled “Traffic Impact and Access Study, Proposed Retail Development, Worcester Mass.” dated June, 2006 and prepared by Greenman-Pedersen, Inc. (the “Report”). The Report identifies certain mitigation measures desirable to improve roadway system deficiencies. The proposed mitigation measures found in this report are located outside of the boundaries of the Applicant’s property and are generally within areas under the control of the City of Worcester Department of Public Works and Parks & Parks (DPWP) and/or the Massachusetts Highway Department. The Applicant shall work with those agencies to implement the following mitigation measures:
  - a. Blackstone River Road at McKeon Road and McKeon Road Extension.
    - i. Re-stripe McKeon Road eastbound approach to provide a through lane and an exclusive right turn lane.
    - ii. Add right turn overlap phase to the McKeon Road eastbound approach.
    - iii. Optimize signal time coordination to alleviate queuing.
  - b. McKeon Road Extension at Dryden Access Road and proposed site Egress driveway.
    - i. Coordinate signal timing controllers at this intersection with the intersection of Blackstone River Road, McKeon Road and McKeon Road Extension.
  - c. McKeon Road Extension at Route 146 Southbound ramp.
    - i. Optimize signal time coordination to reduce queuing and delays, particularly as it relates to the Route 146 southbound off ramp approach.
  - d. Blackstone River Road at Steppen Street and Church of the Pentecost driveway.

- i. Optimize signal timings and coordination to reduce Blackstone River Road southbound queuing.
- ii. Modify Mass Highway signal plan to allow eastbound and westbound approaches to run concurrently rather than split phase.

10. **Water Infrastructure.** Prior to the commencement of construction, the plan shall be modified and additional specifications provided by the Applicant to address the comment letter dated January 31, 2007 from Andrew C. Murch, P.E., Sr. Civil Engineer – DPWP Water Operations. Specifically:

- a. Applicant shall have a pre-construction meeting(s) with DPWP Engineering and Water Operations to ensure that proper planning, design, installation, and testing occur to protect potable water quality. This may require, but is not limited to, the use of special permeation-proof gaskets, and extra precautions taken during pipe installation subject to DPWP approval.
- b. DPWP shall supply, install and set water meters at Applicant's cost. Service lines shall meet Water Operations standards, but shall be installed by Applicant's contractor.
- c. Existing water services shall not be used, and shall be abandoned in accordance with DPWP Water Operation's standards.
- d. The two (2) 8"x 8" full size taps into Tobias Boland Way shall be allowed.
- e. All 3" or greater diameter pipes shall be ductile iron cement-lined class 52.
- f. All 1" taps shall be made by direct means. All 2" taps shall be made using approved service saddles. All 1" – 2" service lines shall be Type K copper.
- g. All materials and methods used shall meet DPWP Water Operation's standards.
- h. The design of the lift stations shall be reviewed and approved by the DPW&P prior to the issuance of any building permit.

11. **Snow Storage.** The site plan indicates the use of 69 parking spaces for snow storage. The site cannot use required parking spaces for snow storage. The site only has an excess of 54 parking spaces. Only these may be used for snow storage. Remove label for snow storage for 15 parking spaces. (Per Robin Bartness' memo to Chair Shea, dated March 15, 2007).

12. **Landscaping.**

- a. Additional shrubs are required along Tobias Boland Way in the area in front of the proposed bank drive through as this area is considered a work or service area

for the bank (Article V, Section 5, C1a.) (Per Robin Bartness' memo to Chair Shea, dated March 15, 2007).

- b. Correct the label for the seven Honey Locust trees at the rear of proposed Retail D & E. They are currently labeled as Aristocrat Pear. (Per Robin Bartness' memo to Chair Shea, dated March 15, 2007).

### **13. Other Standard Conditions.**

- a. All work must conform to the standards contained in the City of Worcester, Department of Public Works and Parks and Parks - Construction Management Section's STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- b. Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.
- c. The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the Applicant to the satisfaction of the Director of Code Enforcement.
- d. Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.

- 3. **Lot 1A, New York Street (PB-07-06) - Definitive Site Plan:** Michael Revelli, applicant, presented the plan. Ms. Bartness informed the Board that Mr. Revelli submitted architectural renderings of the proposed townhouses and that the submitted plans showed encroachment of the proposed front porches and stairs into the front yard setback. Ms. Bartness stated that the applicant and staff have discussed the options and that Mr. Revelli submitted revised plans on March 21, 2007 showing that the buildings had been moved and only minimally encroached into the setback by the stairs, which is permitted by the Zoning Ordinance. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to continue the Definitive Site Plan to the April 4, 2007 meeting and to extend the constructive grant deadline to April 5, 2007 to allow staff and the Board to review the revised plans.

## **NEW BUSINESS**

### **PUBLIC MEETINGS**

- 4. **997 Millbury Street (PB-07-09) – Parking Plan:** Michael Frisbee, representative for the applicant, presented the plan. Ms. Bartness noted that two additional interior trees are required or a waiver from the Planning Board is needed. She also stated that the applicant is required to provide additional landscape screening along Baltic Road where work or service areas abut the street and that the landscape screening should consist of a planting area at least five feet wide with trees as the major element.

Virginia Chojnicki inquired if the project proposed further opening of Baltic Street. Chair



Shea informed Ms. Chojnicki that the proposed plan did not involve any changes to Baltic Street.

Ms. Guzman inquired if the additional screening on Baltic Street was necessary considering the industrial nature of the area. Ms. Bartness stated that screening is required by the Zoning Ordinance because the use is changing from a manufacturing use to an office use and work and service areas will be visible from the street. She also stated that the applicant was not seeking protection through a Special Permit for expansion or change of a pre-existing, nonconforming use for the nonconforming landscaping aspects of the site.

Rita Guillote, an abutter, inquired if the applicant proposes to use the site for a restaurant. Mr. Frisbee stated that the applicant has plans to lease 4,700 square feet for an office/warehouse use, an additional 4,000 square feet for an office use and 10,000-12,000 square feet will be for future office tenants. In response to a question by Ms. Chojnicki, Ms. Bartness stated that the proposed use requires 52 parking spaces and that any additional off-street parking spaces could be used for snow storage.

Mr. Cashman inquired about the proposed screening of the dumpster and whether the applicant could use a stockade fence, instead. Mr. Frisbee stated that the dumpster will not be visible from the street or abutting properties as a result of the height of the retaining wall.

Ms. Bartness stated that because of a retaining wall located at the front of the site, only two trees are proposed in that landscape area in front of the building and therefore additional screening on Baltic Street will be important where there are no retaining walls. Mr. Cashman stated that the nearby proposed development at 25 Tobias Boland Way will have significant landscaping improvements and that additional landscaping at the 997 Millbury Street would complement the improvements in the neighborhood. Mr. Adams stated that a 6" SDR 35 PVC pipe for the sanitary sewer service should be added to the plan as recommended in the Department of Public Works and Parks' letter dated March 14, 2007. Upon a motion by Margaret Guzman and seconded by Anne O'Connor, the Board voted 4-0 to continue the Parking Plan for 997 Millbury Street to the April 4, 2007 meeting and extended the constructive grant deadline to April 5, 2007 to allow the applicant sufficient time to revise the plan.

- 5. 334 Lake Avenue North (PB-07-20) – Definitive Site Plan:** Kevin Quinn, representative for the applicant, presented the plan. Mr. Quinn informed the Board that the proposed reconstruction of a single-family detached dwelling on the site is before the Zoning Board of Appeals for a Special Permit for expansion or change of a pre-existing, nonconforming structure and several Variances as well as before the Conservation Commission for a Notice of Intent. He also stated that the lot slopes steeply to Lake Quinsigamond where it ends at a retaining wall. Additionally, he informed the Board that the site will have a one-car garage as well as a driveway, but that the driveway is actually in the right-of-way of Lake Avenue North. Ms. Bartness stated that the proposed deck will be changed so that it did not wrap around the dwelling and encroach further into setbacks.

Cynthia Pehl asked whether approval by the Planning Board necessitated approval by the

Zoning Board of Appeals. Chair Shea informed Ms. Pehl that the Planning Board, Zoning Board of Appeals, and Conservation Commission review different aspects of proposed projects and make decisions independent of the other Boards and Commission. Ms. Pehl expressed concern with possible parking issues because Lake Avenue North is an important ambulance route. Brian Pehl also expressed concerns with the proposed parking. Mr. Quinn stated that the existing dwelling has a one-car garage, which is the same number of off-street parking spaces as the proposed single-family dwelling. James Zinkevich stated that the dwelling had originally had a one-car garage but that another previous owner had converted it into a two-car garage. Mr. Zinkevich also expressed concern that the dwelling would be located closer to the lot lines. Ms. Bartness stated that the proposed structure will not be closer to the lot line and will actually be farther away from one of the side yard boundaries and the same for the other. Shawnie Lavoy and Mr. Zinkevich expressed concern with potential problems caused by the proposed grading. Mr. Adams stated that the proposed grading meets Department of Public Works and Parks standards for review.

Mr. Quinn stated that it is a difficult site to grade due to unstable slopes that were created in the 1920s. He also stated that the proposed grading will tie into existing grades of abutting properties. Chair Shea stated that Mr. Zinkevich should contact the Division of Code Enforcement with any issues that occur during the construction and that if any damage is caused to his property that Mr. Zinkevich has the right to seek legal recourse. Mr. Pehl inquired what landscaping and screening was proposed around the foundation and site. Mr. Zinkevich expressed concern with a tree that straddles his property and the 334 Lake Avenue North lot. Chair Shea stated that such civil matters are not under the purview of the Board. Mr. Quinn also stated that the existing structure is 2,390 square feet, inclusive of the basement and garage and that the proposed three-bedroom house will be 2,798 square feet inclusive of the basement and garage. Additionally, he stated that the proposed house will meet the 35-foot height limitation.

Ms. Pehl inquired if the applicant would be willing to screen the proposed foundation since it appears that it will be more visible from her property. Mr. Quinn stated that Mr. Sutman would be willing to put in additional landscaping around the foundation as well as a stockade fence at the rear of the property. Ms. Guzman noted that all the properties along Lake Quinsigamond have several challenges that were created by lack of land use regulations when they were constructed. She also stated that the proposed structure will have to comply with the necessary Conservation Commission and Department of Public Works and Parks' rules and regulations. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan for 334 Lake Avenue with the following conditions:

- **Show 6-foot Emerald Arborvitae planted four (4) feet on center, to screen the southerly side of the foundation.**
- **Show a stockade fence to be placed on the southerly side lot line beginning at the rear of the proposed house and continuing to the lake.**
- **Correct the dimensional zone requirements (existing and proposed) in the zoning classification summary.**

- **Application indicates that the proposed dwelling structure is an expansion of the pre-existing structure, when it is, in fact, new construction.**
- **Application indicates that two off-street parking spaces will be provided when only one will be provided.**
- **Label any trees in excess of nine (9) inches in diameter and if they will be retained.**
- **Show that the proposed deck on the northeasterly portion of the rear of the structure will not continue around the northerly side of the proposed dwelling, but will end six (6) feet from the northerly lot line.**
- **Label proposed materials for the driveway.**
- **Label walkway on the northerly side of the site plan.**
- **Label the proposed materials for the walkway.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works and Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

**6. 37 Clay Street (PB-07-25) – Definitive Site Plan:** Jeff Howland, representative for the applicant, presented the plan. Mr. Howland stated that additional off-street parking spaces were proposed in anticipation of possible college student tenants. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan for 37 Clay Street with the following conditions:

- **Locate the proposed surface connection in the same trench as the sanitary connection.**
- **Remove the surface connection cleanout from the right-of-way.**
- **Tie the surface connection pipe to the main, not the manhole.**
- **Raise proposed concrete retaining wall one additional block, using two-foot blocks, to serve as a guardrail for the parking area.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works and Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout**

**construction by the applicant to the satisfaction of the Director of Code Enforcement.**

- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

**7. Lots 1-6, 15, 16, 17s, 19, 20 Sophia Drive (PB-07-27) – Definitive Site Plan:** Hossein Haghanizadeh, representative for the applicant, presented the plan. Ms. Bartness informed the Board of a letter dated March 8, 2007 from the Commonwealth of Massachusetts Executive Office of Environmental Affairs regarding the review for the Arboretum Subdivision. The letter indicates that an Environmental Impact Report (EIR) was not required for the project through Phase III but will most likely be needed if Arboretum extends beyond the approved lots for Phase III. The letter encourages sustainable design alternatives such as Low Impact Design (LID) and High Performance Green Buildings for the current proposed lots. Upon a motion by Anne O'Connor and seconded by Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan for Lots 1-6, 15, 16, 17s, 19, 20 Sophia Drive with the following conditions:

- **On Sheet 6, the proposed columns for the zoning classification table should include proposed setbacks, not the minimum required setbacks.**
- **Change the label on Sheet 6, in the zoning classification table, in the eleventh column from single-family, semi-detached dwelling to single-family, detached dwelling.**
- **Remove label “Future Road” from Sheet 3 of 6.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works and Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to the Zoning Enforcement Officer’s determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

**8. 50 Redfield Road (PB-07-29) –Definitive Site Plan:** Shelly Hammond, representative for the applicant, presented the plan. Ms. Hammond informed the Board that the project received Conservation Commission approval from the City of Worcester and the Town of Leicester. Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to approve the Definitive Site Plan for 50 Redfield Road with the following conditions:

- **Label plan “Definitive Site Plan”.**
- **Label applicants as owners on the plan.**
- **Label Redfield Road as a private street.**

- **Provide a zoning summary of what is being proposed in addition to what is required.**
- **Label the RL-7 and A-1 zone line.**
- **Provide dimensions of streets and driveways.**
- **Show the sanitary sewer service connecting to the sanitary main, not to the manhole.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works and Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

**9. WPI Residence Hall, Parking Garage & Surface Parking -35, 39, & 41 Dean Street, 20, 30-32 Boynton Street and 87 Salisbury Street (PB-07-30) – Definitive Site Plan:** Anne O'Connor recused herself. Stephen Madaus, Lynn Deninger, Robert Peterson, Dennis Rice, and John Miller, representatives for the applicant presented the plan. Mr. Madaus stated that Joseph Mikielian, Director of Code Enforcement, had determined, as stated in his letters dated February 21, 2007 & March 6, 2007, that it would be “unreasonable for the City of Worcester to impose, apply or enforce (i) the RG-5 height limitations on the Project located in the RG-5 Zoning District, (ii) the FAR limitation on the portion of the Project located in the RG-5 Zoning District, and (iii) the fifty (50) foot setback requirement for structures in the IN-S Zoning District as set forth in Note 13 to Table 4.2 in Article IV” for the proposed project pursuant to M.G.L Chapter 40A, Section 3. Mr. Madaus also stated that with the proposed parking garage, 986 off-street parking spaces will be provided for the Worcester Polytechnic Institute campus, which exceeds the required number of off-street parking spaces by 39 spaces. In addition, he stated that the surface parking area shown on the site plan will be leased to the abutting church, Church of Our Savior, located at 87 Salisbury Street and that those parking spaces will not be counted as part of the required campus off-street parking spaces. He also indicated that site preparation work is currently underway and that the campus is anticipating opening the dormitory and parking garage in August 2008. Additionally, he informed the Board that the project is seeking Variances and Special Permits from the Zoning Board of Appeals on March 26, 2007.

Ms. Deninger stated that the new dormitory will be five stories high and will be apartment-style. She also stated that the dormitory will be located closer to Gateway Park and downtown and will feature an “arts walk”, a landscaped walkway, which will create a pedestrian connection from the campus towards the Worcester Art Museum. Arthur Prescott inquired how many levels the parking garage will have. Mr. Peterson stated that the parking garage will have three parking levels, with a “stepped-down” design. Mr. Madaus thanked

the Division of Planning and Regulatory Services for their assistance with the project. Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 3-0 (Anne O'Connor abstaining) to approve the Definitive Site Plan for 35, 39, & 41 Dean Street, 20, 30-32 Boynton Street and 87 Salisbury Street with the following conditions:

- **In addition to showing a zoning summary for both IN-S and RG-5 zones for what is required for the residence hall, show what is proposed for the parking garage.**
- **Correct use classification from “other residential” to “other, non-residential” in zoning table, as the uses themselves are part of a larger campus, which has been interpreted to be “other, non-residential” by the Code Director.**
- **Provide height in stories and feet of parking structure.**
- **Provide total floor area of both proposed structures on sheet C501.**
- **Provide elevations of the garage.**
- **The proposed parking summary on sheet C501 indicates 187 spaces, and there are 188 spaces. The numbering on level three was incorrect. Please correct in parking summary.**
- **All spaces in the parking garage appear to be compact spaces (less than 9' x 18') but are labeled as standard spaces. Per a previous Code determination, the compact rule can be evenly distributed though out the parking garage (all spaces should then be at least 8.5' x 17', which they are). Please correct label for parking spaces in garage as compact.**
- **Label construction materials of driveways, access aisles and surface parking spaces.**
- **Per the Architectural Access Board, for every eight accessible spaces, one van accessible space with an eight foot access aisle must be provided. This parking structure is providing eight additional accessible spaces and the surface parking is providing 2 handicap spaces with one van accessible. Either one additional van space would not be needed in the garage or WPI can meet the van accessibility requirement throughout other parts of the campus.**
- **Add a note to the plan that excess snow will be removed from the surface parking areas and any open parking areas in the garage (sheet C501).**
- **Label all relief requested from the Zoning Board of Appeals on sheet C501.**
- **All work must conform to the standards contained in the City of Worcester, Department of Public Works and Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.**
- **Subject to the Zoning Enforcement Officer's determination that the parcel complies with all the relevant provisions of the Zoning Ordinance.**
- **The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Director of Code Enforcement.**
- **Six copies of the revised plan must be submitted to the Planning and Regulatory Services Division prior to release of the decision.**

## **OTHER BUSINESS**

- 10. Gates Lane – To Make Public:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to recommend a Priority 1 to make Gates Lane public from the terminus of the existing public portion to Mill Street based on the recommendation of the Department of Public Works and Parks.
- 11. Perkins Street –Sewer Installation:** Upon a motion by Anne O’Connor and seconded by Margaret Guzman, the Board voted 4-0 to recommend a Priority 1 for a public sewer installation for Perkins Street based on the recommendation of the Department of Public Works and Parks.
- 12. 1300 Grafton Street – Extend Work Completion Date:** Upon a motion by Scott Cashman and seconded by Margaret Guzman, the Board voted 4-0 to extend the work completion date to August 1, 2007 based on the recommendation of the Department of Public Works and Parks.
- 13. Wigwam Hill Drive – To Make Public:** Petitioned by Theresa Cosenza Lorotto. This item was continued for clarification until the April 4, 2007 meeting.
- 14. Wigwam Hill Drive – To Make Public:** Petitioned by Jitesh Pratap and Priya Bhatnager. This item was continued for clarification until the April 4, 2007 meeting.
- 15. APPROVAL NOT REQUIRED (ANR) PLANS:**
  - 1. ANR-6496:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR #6496, Belcourt Road.
  - 2. ANR-6493:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR Plan #6493, Third Street.
  - 3. ANR-6494:** Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 4-0 to endorse ANR #6494, Lot 10 C, May Street.
  - 4. ANR-6495:** Upon a motion by Margaret Guzman and seconded by Anne O’Connor, the Board voted 4-0 to endorse ANR #6495, 38A & 38B Wilbur Street.
  - 5. ANR-6497:** Upon a motion by Margaret Guzman and seconded by Scott Cashman, the Board voted 4-0 to endorse ANR #6497, Osceola Avenue.

## **ADJOURNMENT**

Chair Shea adjourned the meeting at 8:00 PM.